

COOPER UNDERGOES SCORCHING GRILLING

Elder Defendant in Carmack Murder Case Gets Through Trying Cross Examination Ordeal.

GOVERNOR TO BE CALLED TO STAND

Duncan Cooper Surrendered by State to His Own Counsel—Shows Much Testimony on Stand—Admits He Often Drops Into Profanity—State Makes Considerable Headway.

NASHVILLE, TENN., Feb. 25.—After nearly two days, under one of the most scorching cross examinations ever heard in a Tennessee court, Colonel Duncan B. Cooper was surrendered to his own counsel tonight by the state.

Tomorrow the case against the Coopers and John D. Sharp, for the slaying of Former Senator Carmack, will be resumed with the aged defendant still upon the stand.

His counsel have decided upon a re-direct examination, promising to be brief.

Immediately after Colonel Cooper is finally dismissed from the stand Governor Patterson and his adjutant general, Colonel Tully Brown, will be called to tell what part they played in this political tragedy.

Colonel Brown was in James Bradford's office at the conference, which began at 3 p. m., the day of the murder, and which closed only thirty minutes before the killing.

Patterson "Phoned for Cooper." Just as the conference closed Governor Patterson telephoned for Colonel Cooper.

It is the defense's theory that while going to the governor's mansion the Coopers met Senator Carmack and the killing resulted.

The cross examination of Colonel Cooper is easily the most striking feature of the trial thus far. The colonel has the reputation of being high spirited and easily moved to anger. It was common rumor that he took the stand against the advice of counsel. However, in Tennessee, the defendant who does not take the stand is looked on with suspicion.

Prosecution Makes Headway.

The prosecution did some execution in its efforts to show that Colonel Cooper was clerk and master in chancery, was short \$100,000, and that a legislative investigating committee charged that a defaulting state treasurer used nearly \$100,000 of the state's funds in promoting a Mexican silver mine, and a walnut log company, in which Colonel Cooper was interested and managed.

The witness, insisted, however, that every dollar of the chancery shortage, due to a faulty office system, had been repaid, and that he did not know that the state treasurer, M. T. Polk, was using the state's funds in the investments.

Colonel Cooper gave today frequent displays of temper and disregarded the orders of his own counsel. The state's attorney, to add to his annoyance, jumped from one point of his narrative to another, asked disconnected and involved questions.

Cooper Takes Stand.

When court opened Judge Hart announced that he would refuse as evidence the Lancer editorial which the state offered. Cooper again took the stand and Captain Fitzhugh resumed the cross examination, commencing with the debate between Carmack and Patterson during the last gubernatorial campaign.

Witness said Carmack attacked him nearly every day in this debate.

"What were the facts of this attack?" Fitzhugh asked.

"I do not recall, except the one about the Angel with the smell of hell on his wings."

"Don't you know he never said hell?"

"Yes."

"You use the word hell often?"

"I certainly do. It's a favorite word of mine, and I use it whenever I want to."

Defense Counsel Uneasy.

Fitzhugh was on his feet firing questions rapidly and Judge Anderson said: "I wish counsel would avoid these exciting demonstrations."

"Let him alone," said Cooper, "let him alone. He can't frighten me. I can parry his attacks."

Cooper said the first attack in these debates was when Carmack called him a booby.

being a picture of Judge Taft. Trading Bryan for Patterson. "I demanded," he said, "that either Taft's picture be removed or the picture of the Republican candidate for governor be displayed to show that the Democratic committee was not responsible for the Taft picture, for at that time Carmack was entering that we were trading Bryan for Patterson."

"I cannot see the competency of these questions or facts," said Judge Hart.

Cooper was asked why, if he presented the critical editorials, he took no action against those in papers other than in Carmack's.

"Well, I felt the personal poison and resented it mentally."

Says No Trading Done.

"You objected to the editorial saying the Democratic committee was trading Bryan for Patterson?"

"I did, because it was untrue."

"But it appeared first in the American, did it not?"

"I don't care if it appeared in the Holy Bible, it was a lie."

Fitzhugh mentioned many editorials in which Cooper's name was not mentioned, but in which the witness said his name was implied.

Cooper said he did not consider it a disgrace to have brought Cox and Patterson together, but that he resented the charge because it was untrue.

"You had better get off politics and get on to the facts," the court interrupted.

Defendants Want to Answer.

Immediately the line of questions changed.

"If you got a message from a man who said the town was not big enough for both of you, what would you understand?" Fitzhugh asked.

The defense objected, but the witness said: "I want to answer that so badly."

"Well, you may," said the court.

"If I had received the message," said Carmack, "I would consider that I had to ease attacks or prepare myself to meet him."

"Is not it a fact that in your presence at the police station on the night of November 9 in the presence of several others, Messrs. Bradford, Ewing and McConico, a statement for the press was prepared?"

Refused to Read It.

"I did not. These gentlemen prepared a statement and wanted me to read it. I refused because that would make it my statement."

"Didn't you see Bradford dictate it?"

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Senate Refuses to Sanction Alcoholic Liquor Investigation.

STRICKEN FROM THE BILL

Senate Refuses to Sanction Alcoholic Liquor Investigation.

RULED OUT BY VICE PRESIDENT

After Hot Debate, Amendment is Declared to Be Out of Order—Country Life Commission's Work to Be Given Public.

(By Associated Press.)

WASHINGTON, D. C., Feb. 25.—In connection with the discussion by the Senate of the provision for an investigation of the alcoholic liquor traffic, which was inserted in the agricultural appropriation bill by the committee on appropriations, Senator Bailey of Texas, today criticized the report of the home commission.

He said that if the proposed liquor commission should make a report it would be necessary that it should be expurgated before it should be given to the public if it followed along the lines of the home report. Of that document he declared that it painted by private parties it would be excluded from the mails because of the character of some of its contents.

Senators Gallinger and McChamber warmly advocated the amendment and Senator Moody declared that he was "loaded" on this subject and would never let the amendment pass at this session of Congress if it was not stricken from the measure.

Vice-President Fairbanks then ruled that the amendment was out of order and it was stricken from the bill.

By a vote of 48 to 19 the Senate today voted to retain in the agricultural bill an appropriation of \$25,000 for digesting, compiling and publishing the material gathered by the commission on country life.

Senator Keam made a point of order against the amendment and Senator Tillman declared that "so far as the South was concerned, the report of the commission is not worth the paper it is written on."

Mr. Dilliver defended the amendment as both in order and desirable in the promotion of interest in country life.

Vice-President Fairbanks referred the amendment to the Senate for decision on its merits and it was retained.

HOUSE MEMBER BITTER AGAINST THE SLUTS

Iowa Congressmen Utters Tirade Against Secret Service Men and Their Services.

HE IS BACKED UP BY COLORADOAN

Cook Called from the Floor Because of Abuse of President—Smith Declares Secret Service Men Incompetent and All Liars—Blames Them for McKinley Assassination.

WASHINGTON, D. C., Feb. 25.—Vilifying denunciation of the secret service of the treasury department was uttered in the house of representatives today by Mr. Smith, Republican of Iowa, during the consideration of the sundry civil bill.

The discussion arose over an amendment by Mr. Bennett of New York, striking out the provision limiting the field of operations of the secret service. A similar passage in the last appropriation bill, which gave rise to the presidential attack on members of congress, when Mr. Smith rose to reply, it was apparently to every one that he was thoroughly wrought up.

He spoke of the numerous special agents, postoffice inspectors and others, "every few of whom," he said, "are of a higher and nobler type than the members of the so-called members of the secret service."

One of the Requisites.

He vehemently declared, in speaking of the secret service, that it was a matter of common knowledge that one of the requisites of the detective was that he should be a common liar.

The secret service agents, he said, were not so high and lofty that they should be the subject of admiration among a free people. Many of them, he said, were down and frauds.

"When there is not a considerable number of them that know a legal from an illegal land entry."

Respectable men, he said, with manifest sarcasm, would take places as postoffice inspectors and special agents of the interior department, even though occasionally they might have to do some detective work, but he asserted, "the idea that some three or four dollars-a-day man who is willing to be a common detective, can familiarize himself with all laws and therefore become more useful than a specialist is simply absurd."

Says Secret Service Worthless.

The secret service men, he charged, were worthless, and he said "nowhere except in the vainglorious boasts of Chief Wilkie and the testimony of men who did not know anything about it, did I find that it had done anything except in the watching of jurors and the like."

Mr. Smith said in private years the abuse of the field of operation of the secret service was only incidental, but that now it had become an enormity. Having become worked up to the fever pitch, he referred to the assassination of President McKinley, and seemed to throw into his remarks all the venom he possessed.

Blamed for McKinley Murder.

"The only President assassinated since the secret service men were detailed to watch the President," he said, "was when President McKinley was shot down at Buffalo with a secret service man by his side, who was unable to observe the approaching murderer with his bandaged hand. That man did not even capture the murderer."

Then with the expression of bitterness still on his countenance, he slowly remarked: "But it took a man with a black skin to capture the assassin."

Mr. Cook Republican Colorado also discussed the provision with much freedom of speech and frequently referred to the President in most complimentary phrases, such as the following:

"It is unfortunate not only for President Roosevelt, but for the citizens of the republic that he has not a legal mind and no equipment of reason, riding through and around the arena of political action on his brain of arrogant, egotistical impulses, pretending to throw his bar of execution at the heels and broad horns of capital, and ending the scene with the cunning catch of a prairie wolf or a zopher."

Cook Called Down.

So denunciatory of the President was Mr. Cook that he was denied the privilege of continuing his remarks after he had spoken but a few minutes.

Referring to the attitude of the President in the matter of forgetting out from Mr. Cook declared that "in all of this fuss and feathers of the whole administration the President and his plant attorney general have

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GOVERNOR PARDONS IN ADVANCE OF TRIAL

Forecloses Kentucky Court by Freeing Newspaper Men Indicted in Distasteful Counties.

(By Associated Press.)

FRANKFORT, KY., Feb. 25.—One of the strongest defenses of the freedom of the press and in criticism of public officials ever delivered in the South, was written by Governor Augustus E. Wilson today in granting a pardon to the Herald Publishing Company of Louisville, publishers of the Louisville Herald, for an indictment in the Calloway and Trigg counties of Kentucky, charging that paper with criminally libeling Judge Thomas P. Cook and Commonwealth's Attorney James P. Smith.

The two officials presided in the district when the greater part of the Night Rider troubles in Western Kentucky occurred and the paper vigorously scored them for failure to perform their duty in the prosecution of the lawless element.

Governor Wilson wrote upon the pardons to the newspaper company this reason: "Because the large series of crimes in this district which have not been punished under these officials' administration, made it necessary for the press to criticize all who can be held responsible."

"If the courts do not put an end to the rule of crime in the counties in which the judge and commonwealth's attorney are selected to perform their duty in the prosecution of the lawless element, the only hope is in enlightened public sentiment, aroused by the press of the country, and instead of punishing the newspaper which make a fight against such conditions it should be regarded as fulfilling its duty."

High Winds Sweep THE VIRGINIA COAST

Windgauge at Cape Henry Registered a Velocity of 64 Miles an Hour.

NORFOLK, VA., Feb. 25.—A fierce wind storm swept the Virginia North Carolina and Maryland coasts last night with a maximum velocity at Cape Hatteras of 64 miles an hour. The maximum velocity recorded at Cape Henry was 42 miles an hour, with 35 miles an hour in Norfolk.

The winds were from the north and northwest, and while they caused big seas, with consequent discomfort and danger to those on the coast, shipping passing on the coast was driven to sea rather than towards the shore and no marine disasters have as yet been reported along the ocean front.

The westerly winds caused a sudden drop in temperature, changing summer weather into winter, the fall of the thermometer being from 78 to 36 degrees, or a drop of 42 degrees in less than seventeen hours.

The high winds caused exceedingly rough weather on Hampton Roads and the battleship and cruiser fleet now in the Roads had the roughest weather during last night and this morning since their return Monday.

SOUTHERN COMMERCIAL CONGRESS GETS TITLE

Now Has Title to Washington Site Upon Which Building Will Be Erected.

WASHINGTON, D. C., Feb. 25.—The Southern Commercial Congress, through John M. Parker of New Orleans, president, and Charles H. Davis, of Petersburg, chairman of the executive committee, acting as trustees for the union incorporated organization, today acquired title to the old St. Matthew's Church property, at Fifteenth and H streets.

The necessary papers were today passed over by Cardinal Gibbons and his representatives, and will be immediately recorded.

The site upon which the congress intends to erect its office building and headquarters contains over 22,000 square feet.

The old church will be opened during inauguration week in order to provide a rest room for inauguration visitors.

The interior will be subsequently rearranged on temporary use as the Washington office of the congress during the time required to raise the endowment fund.

Copper Officers Elected.

(By Associated Press.)

NEW YORK, Feb. 25.—Fred Lewis, who was elected president of the Tennessee Copper Company at a meeting of the company's directors held in New York City today, Mr. Lewis announced J. Parke Chaney, recently resigned, who remains as a director.

James Phillips, Jr., was elected vice-president and Walter Lewisohn, treasurer of the company.

Judge Loses Nerve.

COLUMBUS, OHIO, Feb. 25.—Judge C. M. Reeves, sitting in the trial of Harry Hilward for the murder of Patrolman Campbell, was overcome today by faintness when the bloody clothing of the dead policeman was displayed.

He adjourned court for an hour.

ADMIRAL SPERRY'S FLAG MAY SOON COME DOWN

Commander of Fleet Leaves for Washington and His Belongings are Being Packed.

ROOSEVELT TO NAME SUCCESSOR

Ships Shortly Will Disperse to Reassemble in Hampton Roads May 17. Will Remain Six Weeks, Then Proceed to Northern Drill Grounds. Reports of Drawings Unfounded.

FORT MONROE, VA., Feb. 25.—Rear Admiral Charles S. Sperry, who brought the American battleship fleet from San Francisco to Hampton Roads, left tonight for Washington and the ship's baggage on board the flagship Connecticut began to be taken up the Norfolk railroad.

The battleship fleet will be taken down by the Norfolk railroad.

The matter of the fleet will be decided in Washington. It is common knowledge in the fleet that President Roosevelt intends to name the next chief commander of the fleet before he takes office in office.

To Reassemble May 17.

Admiral Sperry would have little to gain from continuing in the command at this time, for the ships are due to remain at the navy yards whence they soon will be distributed to their various posts.

They will then rendezvous here to remain probably until July 1 before proceeding to the northern drill ground off Cape Cod for record target practice in still water.

Admiral Sperry retires in September, so it can readily be seen that there is little in the program of the next few months that would enable him to wish to remain. Undoubtedly the admiral's personal wishes in the matter will have great weight with the President and the navy department at Washington.

Storms Have Abated.

The storms which met the fleet at the Virginia capes with a most inhospitable welcome home, seem tonight to have abated.

AT PROPER TIME WILL SET FORTH HIS VIEWS

Mann Not Quite Ready to Comment Upon Tucker's Declaration of Principles.

RICHMOND, VA., Feb. 25.—Judge William Holmes Mann arrived in the city this afternoon from a trip to a distant part of the state in the interest of his campaign.

The judge was surrounded by a party of friends and they were talking about the contest and the outlook.

Judge Mann was asked by a reporter if he had seen the speech of Mr. Tucker as printed in the papers of today. He said that he had, adding: "The speech was read in full and with interest."

"Well, Judge, what have you to say regarding the position taken by Mr. Tucker on the liquor question as compared with your own views on that proposition?" was asked.

"At the proper time the views and issues discussed by Mr. Tucker will receive due consideration at my hands."

"Have you determined just when you will make your first speech in this city?"

"No I have not. The campaign is very young as yet. There is an abundance of time. I have not completed my list of appointments by any manner of means. In fact, I have done but very little in that way."

"As I have said, there is plenty of time and I am more than pleased with the situation. I have no reason to complain in the least. Things are moving along just as well as I could wish."

Judge Mann would not indicate what he will say when he gets ready to open up the campaign. It has not been said when or where he will open, but he will make announcements along that line.

Across the bridge on the other side in a westerly direction are the rooms occupied by Mr. Tucker as headquarters. He was there today, and with him were several friends. Among the callers were former Governor D. C. Heyward of South Carolina, an old friend of the gubernatorial candidate, who came in to pay his respects and to wish the Valley man success in his ambition.

"I have known Mr. Tucker for some twenty-five years," said the former chief executive of South Carolina.

NEGROES START PLAN TO HELP THEMSELVES

Scheme to Buy Land, Parcel It Out in Farms To Be Paid for in Products.

ATLANTA, GA., Feb. 25.—A plan for the material uplift of the negroes of Georgia which comes entirely from negro initiative, was announced in Atlanta today.

It contemplates buying of 20,000 acres of farm land, dividing it into 400 farms of fifty acres each, and allowing tenants to pay for this land in cotton. Each tenant to buy his land is to pay 1,000 pounds of good middling cotton for this land. This is said to equal about the average rental rate now produced by good farm tenants.

Post Office Burglers Sentenced.

(By Associated Press.)

NEW HAVEN, CONN., Feb. 25.—Ten years in the federal prison in Atlanta, Ga., for each, and a fine of \$2,000 each, was the sentence imposed by Judge Platte in the United States court today upon Frank Howard and William Carlton for breaking into the postoffice at East Morristown, this state. Each was convicted on two counts.

The men are known under various aliases.

Slayer "Not Guilty."

MONTGOMERY, ALA., Feb. 25.—"Not guilty because of insanity" was the verdict of the jury today in the case of R. R. Broadway, a Haynesville, Ala., merchant, who shot and killed Sheriff W. E. Haynes six months ago following a series of personal difficulties.

Transfers of Ball Players.

NEW YORK, Feb. 25.—John A. Heydler, acting president of the National League, today promulgated a number of contracts and releases of ball players, especially affecting the Boston, Chicago, Cincinnati and Pittsburgh teams. A notable change is the release by Boston of George E. Brown, the speedy right fielder, who is transferred to Chicago. Another release, that of Louis Ritter of Brooklyn, shows the passage of this old time catcher to the minors.

Ritter is to go to Denver.

APPLICATION IS DENIED

Federal Judge Declines to Restrain Reorganization of Steel Company.

AFFAIRS ARE IN LIQUIDATION

Judge Presumes Bankruptcy Court Will Take Measures to Secure Fair Price and Make Equitable Distribution of Proceeds of Sale.

(By Associated Press.)

NEW YORK, Feb. 25.—An application for a preliminary injunction restraining the reorganization committee of the Southern Steel Company from carrying out its plan for the reorganization of that company was denied today by Judge Noyes of the United States circuit court.

George H. Schuler, a minority stockholder of the company, had applied for the injunction on the ground of inequality.

The Southern Steel Company has properties in Alabama and other Southern States. Its affairs have been in process of liquidation for some time, and recently it was announced that the reorganization committee had completed plans to take over the property as a sale to be had within a few weeks.

Judge Noyes, in his decision, said that as the properties of the Southern Steel Company were to be put up at a public sale by the trustees in bankruptcy, it must be presumed that the bankruptcy court will take steps to secure a fair price and distribute the proceeds among the creditors and stockholders.

He added that Gann was not indicated by the fact that the stockholders, who advance now funds, will receive far more in new securities than those who advanced nothing. The court ruled that Mr. Schuler should have the right to renew his application if the reorganization committee should not carry out its present intention to purchase the properties at a judicial sale.

Mr. Schuler was granted the right to institute such proceedings in the district court of Alabama as he might deem expedient.

COMMITTEE VOTES 10 TO 7 FOR SHIP SUBSIDY BILL

Measure Which Already Has Passed Senate, Will be Favorably Reported to House.

FATE TO BE DECIDED NEXT MONDAY

Two Western Republicans Vote With Democratic Members of Post Office Committee in Opposition to Favorable Recommendation—One Member, a Mississippi Democrat, Absent.

WASHINGTON, D. C., Feb. 25.—By a vote of 10 to 7, the House committee on post offices and post roads today agreed to report favorably to the House the Senate bill for an ocean mail subsidy.

Representative Hill, a Democrat of Mississippi, was the only absent member.

Representatives Murdock of Kansas and Stafford of Wisconsin, Republicans, voted with the Democrats against the bill.

The House of Representatives will probably vote on the Senate mail subsidy bill next Monday.

OPPOSED TO FREE SILVER, TUCKER SAYS HE WAS LOYAL

Admits Retiring from Congressional Race on Account of Issue, But Supported Bryan.

RICHMOND, VA., Feb. 25.—Some misunderstanding appears to have arisen—especially among those not particularly eager to understand—as to the attitude of Harry St. George Tucker immediately preceding and during the first Bryan campaign in 1896.

Mr. Tucker himself "couches on this matter at some length and in no uncertain terms in his speech last night, while Lawyer Harry M. Smith, who introduced the gubernatorial candidate, likewise had something to say about it.

In order, however, that Mr. Tucker's position in 1896 might be defined in language absolutely incapable of misconstruction, Mr. Tucker was asked the following question:

"After your retirement from the congressional race in 1896, when you disagreed with the party as to the free silver doctrine, did you work for the success of Mr. Bryan, and did you cast your ballot for him?"

Says He Was Loyal.

"At the Annapolis convention, when I retired after the convention adopted the free silver platform," replied Mr. Tucker, "I stated to the Democrats assembled that while silver seemed to be the only issue in the convention, yet that if they found anywhere in the district that I could be of service to the ticket, if they would let me know, I would be glad to come and speak. And in response to this statement I spoke for the Democratic ticket at Kent's Store, in Fluvanna county, to a large meeting, where the Palmer and Buckner people had a representative; I spoke at Master's Mills, in Nelson county; I spoke at Mr. Sidney in Augusta county, and I think I spoke at other places in Augusta and Rockingham counties."

"I voted the straight Democratic ticket that year, as I have done throughout my life."

"After the Bryan campaign was over, did you continue your active interest in the party?" was asked.

"In 1897 I was elected professor of law at Washington and Lee University, and remained there for five years," said Mr. Tucker. "Of course, I could not take as active a part in politics at that time as I had done. I was then elected dean of the George Washington Law School at Washington, where I remained for two years, and while there the Democratic convention of 1898, assembling in the city of Richmond, nominated me as one of the electors at large on the Democratic ticket, which entailed a canvass of the whole State in the interest of the ticket."

"I may add that I received the largest vote of any candidate before the convention for the office of elector at large, and also, in the general election, received the largest number of votes cast for any elector on the ticket."